

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 05 2008

## Application of

Applicant : Zakar R. Hachikian  
Serial No. : 10/659,805  
Filed : September 11, 2003  
Title : TWO-PART EPOXY ADHESIVES WITH IMPROVED FLEXIBILITY  
AND PROCESSES FOR MAKING AND USING SAME  
Docket No. : ITW 0006 IA/41038.9/14350.70  
Examiner : Feely, Michael J  
Art Unit : 1796  
Confirmation No. : 5226

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION  
I hereby certify that this paper is being facsimile  
transmitted to the Patent and Trademark Office (Fax. No.  
571/273-8300) on May 5, 2008.

*Patricia L. Prior*  
Attorney - Patricia L. Prior Reg. No. 33,758

Sir:

**PETITION TO WITHDRAW A HOLDING OF ABANDONMENT UNDER 37 CFR §1.181**

The following is submitted in support of Applicant's Petition to Revive an Unintentionally Abandoned Application Under 37 C.F.R. §1.137(b):

The above-identified application became abandoned on April 25, 2008 for Applicant's failure to timely file a proper response to the Office Action mailed on October 16, 2007.

An Amendment was filed on April 16, 2008 with a Petition for Extension of Time (three month), therefore making the response due April 16, 2008. A timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 was not filed on April 16, 2008. The error was unintentional and occurred without deceptive intention on the Applicant's part. Therefore, the Applicant submits that the above-identified Application was unintentionally abandoned. The entire delay in filing the required reply from the due date for the required reply until the filing of this petition was unintentional.

Filed concurrently herewith is a Request for Continued Examination (RCE) which constitutes a proper reply under 37 CFR 1.113(a) to the final rejection dated October 16, 2007.

The Petition is accompanied by a Credit Card Payment in the amount of \$1540.00 in payment of the required fee set forth under 37 C.F.R. §1.17(m). In light of the Applicant's good faith effort to

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file the Amendment and a Request for Continued Examination (RCE) in a timely manner, it is respectfully petitioned that the holding of abandonment be withdrawn. If any outstanding issues still need to be resolved, please contact the undersigned.

Respectfully submitted,  
DINSMORE & SHOHL, L.L.P.

By Patricia L. Prior  
Patricia L. Prior  
Registration No. 33,758

One Dayton Centre  
One South Main Street, Suite 1300  
Dayton, Ohio 45402-2023  
Telephone: (937) 449-6407  
Facsimile: (937) 449-6405

PLP/AMM

PTO/SB/64 (07-06)

Approved for use through 09/30/2006, OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

ITW 0006 IA/41038.9/14350.70

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First named inventor: Zakar R. Hachikian

Application No.: 10/659,805

Art Unit: 1796

Filed: September 11, 2003

Examiner: Feely, Michael J

Title: TWO-PART EPOXY ADHESIVE WITH IMPROVED FLEXIBILITY AND PROCESS FOR MAKING AND USING SAME

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (571) 273-8300

05/06/2008 PCHOMP 00000030 10659805

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NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1540.00 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in the form of Request for Continued Examination (RCE) (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Patricia L. Prior  
Signature

05/05/2008

Date

Patricia L. Prior

Typed or printed name

33,758

Registration Number, if applicable

One Dayton Centre, One South Main Street Suite 1300

Address

937/449-6400

Telephone Number

Dayton, OH 45402

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: \_\_\_\_\_**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

05/05/2008

Date

Patricia L. Prior  
Signature

Patricia L. Prior

Typed or printed name of person signing certificate